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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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11 THE TORRLUBE COMPANY, LLC,

No. C 07-1841 MMC

12 Plaintiff,

**ORDER OF DISMISSAL**

13 v.

14 TEC-LUBE INDUSTRIES, INC., et al.,

15 Defendants  
16 \_\_\_\_\_/

17 The court-appointed mediator having advised the Court that the parties have agreed  
18 to a settlement of the above-titled action,

19 IT IS HEREBY ORDERED that plaintiff's claims be dismissed without prejudice;  
20 provided, however, that if any party hereto shall certify to this Court, within ninety days, with  
21 proof of service of a copy thereon on opposing counsel, that the agreed consideration for  
22 the settlement has not been delivered, the foregoing order shall stand vacated and the  
23 action shall forthwith be restored to the calendar to be set for trial.

24 The Case Management Conference scheduled for January 11, 2008 is VACATED.

25 **IT IS SO ORDERED.**

26  
27 Dated: December 27, 2007

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MAXINE M. CHESNEY  
United States District Judge